

The Hon. Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RANDY SHIELDS,

Plaintiff,

vs.

FRED MEYER STORES INC,

Defendant.

Case No. 2:23-cv-01455-TL

STIPULATED MOTION AND
ORDER CONTINUING CASE
SCHEDULE DEADLINES
(~~PROPOSED~~)

NOTED FOR CONSIDERATION:
March 21, 2025

I. STIPULATED MOTION

Pursuant to LCR 7(d)(1) and 10(g), Plaintiff and Defendant hereby submit this stipulated motion for entry of an order continuing the case schedule by five months. In support of this motion, the parties stipulate and submit the following to the Court:

1. On October 1, 2024, the Court entered an order setting the case schedule through class certification. The order provided the following events and associated deadlines:

STIPULATED MOTION AND ORDER
CONTINUING CASE SCHEDULE DEADLINES - 1
(~~PROPOSED~~)
(Case No. 2:23-cv-01455-TL)

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| Event | Date |
|---|--|
| Deadline for joining additional parties | 12/31/2024 |
| Deadline for filing amended pleadings | 1/31/2025 |
| Class disclosure of expert testimony due | 3/31/2025 |
| Class disclosure of rebuttal expert testimony due | 4/14/2025 |
| Class expert discovery cutoff | 4/28/2025 |
| Class expert exclusion motions due | 5/12/2025 |
| Class expert exclusion motion oppositions due | 5/26/2025 |
| Class expert exclusion motion reply due | 6/2/2025 |
| Class certification discovery cutoff | 7/18/2025 |
| Plaintiff's motion for class certification to be filed | 8/11/2025 |
| Defendant's response to class certification motion to be filed | 9/15/2025 |
| Plaintiff's reply to class certification motion to be filed | 10/20/2025 |
| Deadline for the Parties to confer and file a joint status report proposing a schedule for the remaining pretrial deadlines, including deadlines related to dispositive motions and trial readiness | Within 30 days of the Court's ruling on Plaintiff's motion for class certification |

2. The parties have diligently attempted to stay on track to complete class certification discovery by July 18, 2025, but there remain outstanding issues pertaining to such discovery that the parties are attempting to cooperatively resolve. The parties need to meet and confer, likely multiple times, to resolve these issues. It is possible motion practice may be required to resolve some of the issues, but the parties are doing their best to avoid this.

3. The parties are making every attempt to resolve outstanding discovery issues cooperatively but anticipate that the case schedule will need to provide time for motion practice to resolve some matters if the parties cannot ultimately reach agreement.

4. In addition, the Plaintiff served interrogatories and requests for production in November 2024. Because the 30-day response deadline occurred in the middle of the holiday season, the Defendant's responses were delayed by a month. Defendant's responses stated that Fred Meyer is still conducting an investigation to locate documents responsive to Plaintiff's requests that are in its possession, custody, and control. Once these documents and information are produced, the Plaintiff will need additional time to review and respond regarding the adequacy and completeness of the production.

5. The parties anticipate and expect that a five-month extension to the case schedule, including a class certification discovery cutoff on November 18, 2025, should provide enough time to address remaining class certification discovery issues.

6. Without an extension of the case schedule to allow time for additional investigation, review, and meeting and conferring, the parties contemplate that this Court will need to resolve many more outstanding discovery conflicts through motion practice. A five-month extension of the case schedule will allow the parties the opportunity to attempt to resolve many discovery issues without the Court's involvement.

7. Wherefore, the parties jointly move and stipulate that the case schedule deadlines should be continued as follows:

| Event | Date |
|---|------------|
| Deadline for joining additional parties | 12/31/2024 |

| | | |
|----|---|--|
| 1 | Deadline for filing amended pleadings | 1/31/2025 |
| 2 | Class disclosure of expert testimony due | 9/1/2025 |
| 3 | Class disclosure of rebuttal expert testimony due | 9/15/2025 |
| 4 | Class expert discovery cutoff | 9/29/2025 |
| 5 | Class expert exclusion motions due | 10/14/2025 |
| 6 | Class expert exclusion motion oppositions due | 10/28/2025 |
| 7 | Class expert exclusion motion reply due | 11/4/2025 |
| 8 | Class certification discovery cutoff | 12/18/2025 |
| 9 | Plaintiff's motion for class certification to be filed | 1/12/2026 |
| 10 | Defendant's response to class certification motion to be filed | 2/17/2026 |
| 11 | Plaintiff's reply to class certification motion to be filed | 3/27/2026 |
| 12 | Deadline for the Parties to confer and file a joint status report proposing a schedule for the remaining pretrial deadlines, including deadlines related to dispositive motions and trial readiness | Within 30 days of the Court's ruling on Plaintiff's motion for class certification |

15 SO STIPULATED THIS 21st day of March 2025.

16 ***Attorneys for Plaintiffs:***

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STIPULATED MOTION AND ORDER
CONTINUING CASE SCHEDULE DEADLINES - 4
(PROPOSED)
(Case No. 2:23-cv-01455-TL)

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II. ORDER

The Court having considered the foregoing stipulated motion, and finding that good cause has been shown for the requested relief, now therefore, it is hereby

ORDERED that the deadlines in the case schedule shall be extended and the modified case schedule through class certification set as follows:

| Event | Date |
|--|-------------|
| Deadline for joining additional parties | 12/31/2024 |
| Deadline for filing amended pleadings | 1/31/2025 |
| Class disclosure of expert testimony due | 9/1/2025 |
| Class disclosure of rebuttal expert testimony due | 9/15/2025 |
| Class expert discovery cutoff | 9/29/2025 |
| Class expert exclusion motions due | 10/14/2025 |
| Class expert exclusion motion oppositions due | 10/28/2025 |
| Class expert exclusion motion reply due | 11/4/2025 |
| Class certification discovery cutoff | 12/18/2025 |
| Plaintiff's motion for class certification to be filed | 1/12/2026 |
| Defendant's response to class certification motion to be filed | 2/17/2026 |

STIPULATED MOTION AND ORDER
 CONTINUING CASE SCHEDULE DEADLINES - 5
 (PROPOSED)
 (Case No. 2:23-cv-01455-TL)

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| | |
|---|--|
| Plaintiff's reply to class certification motion to be filed | 3/27/2026 |
| Deadline for the Parties to confer and file a joint status report proposing a schedule for the remaining pretrial deadlines, including deadlines related to dispositive motions and trial readiness | Within 30 days of the Court's ruling on Plaintiff's motion for class certification |

DONE THIS 24th day of March, 2025.



Tana Lin
United States District Judge